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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/887,168

06/25/2001

Taro Ito

Q64711

9038

7590

08/23/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
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Washington, DC 20037

EXAMINER

HARRISON, CHANTE E

ART UNIT

PAPER NUMBER

2672

12

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,168

Applicant(s)

ITO, TARO

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: RCE, filed on 6/8/04.
2. Claims 13, 18-20 are pending in the case. Claims 13 and 19 are independent claims. Claims 13 and 19 have been amended.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi Shirouzu, U.S. Patent 5,502,795, 3/1996, and further in view of Kazuhiko Tachibana, U.S. Patent 5,898,440, 4/1999.

As per independent claims 13 and 19, Shirouzu discloses a first element which produces partial straight lines (col. 4, ll. 9-11, 52-54; Fig. 1), each of which is parallel to one of a vertical or a horizontal line, from a line (Fig. 18 i.e. "316"; col. 4, ll. 52-54); a second element which separates a color brightness parameter of each of said partial straight lines (col. 4, ll. 41-49); and a third element which produces ranges located adjacent to said partial straight lines (i.e. intensity values between the start and end

Art Unit: 2672

coordinates of a line) (col. 4, ll. 50-55), respectively, and makes the color of each of said ranges change smoothly from the starting point to the ending point by using said brightness parameter (col. 3, ll. 10-26; col. 4, ll. 56-64; col. 6, ll. 35-50).

Shirouzu fails to specifically disclose placing the brightness data of the background at the starting point and the brightness data of the straight line at the ending point. However it would have been obvious to one of skill in the art to incorporate placing the brightness data of the background at the starting point and the brightness data of the straight line at the ending point with the teachings of Shirouzu because Shirouzu teaches inputting both the intensity of the background and of the line drawn into an intensity interpolator, and interpolating the brightness data beginning with the background to create a gradual change of intensity along the line (col. 4, ll. 40-50).

Shirouzu also fails to disclose expressing a second element in a brightness-separable color space where color can be expressed by being separated into brightness and chromaticity. Tachibana discloses providing a mode switching signal to switch between gray-scale and color mode and handling both gray scale and colors (col. 7, ll. 47-64). Shirouzu teaches drawing a pixel utilizing both the intensity data and the X and Y axis drawing data (col. 2, ll. 26-34). It would have been obvious to one of skill in the art to incorporate Tachibana's expression of data in a brightness-separable color space with the disclosure of Shirouzu because Shirouzu teaches providing both intensity data and X, Y data, where the X, Y data is representative of color data and

the intensity data may be represented by any color space representing the separation of luminance to effect drawing a pixel of a partial line.

As per dependent claims 18 and 20, Shirouzu discloses a fourth element which writes a predetermined one or plurality of said partial straight lines (col. 4, ll. 52-54; Fig. 1 "129-132"), and wherein said third element writes said range (col. 4, ll. 50-60; Fig. 1 "133"). Shirouzu fails to specifically disclose a frame buffer, which Tachibana discloses (col. 2, ll. 1-7). Tachibana teaches a technique of drawing jagged straight lines having associated shading data, smoothing the lines by applying antialiasing processing via a processor including a line generator and a buffer for storing the lines (col. 1-2, ll. 35-10). Shirouzu teaches a technique of drawing jagged straight lines having associated shading data, wherein he transmits pixel write signals when the processed data is valid. It would have been obvious to one of skill in the art to include Tachibana's frame buffer in the disclosure of Shirouzu because Shirouzu teaches a processor for generating lines having shading data and drawing smoothed lines by writing the data (abstract), wherein a write signal transfers data to a storage device of a computer.

Response to Arguments

3. Applicant's arguments filed 6/8/04 have been fully considered but they are not persuasive.

Applicant argues Shirouzu fails to teach expressing data in a brightness-separable color space.

In reply, Shirouzu teaches drawing a pixel utilizing both the intensity data and the X and Y axis drawing data (col. 2, ll. 26-34), where the X, Y data is representative of color data and the intensity data may be represented by any color space representing the separation of luminance to effect drawing a pixel of a partial line.

Applicant argues Tachibana also fails to teach expressing data in a brightness-separable color space.

In reply, Tachibana discloses providing a mode switching signal to switch between gray-scale and color mode and handling both gray scale and colors (col. 7, ll. 47-64).

Tachibana's disclosure of a gray scale mode suggests that the data is represented in one of the color spaces in which luminance data is separable from color data and dependent upon the gray scale.

Conclusion

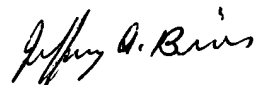
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chante Harrison
Examiner
Art Unit 2672

Ceh


JEFFERY D. BRISS
PRIMARY EXAMINER